

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

DEBORAH S. SKEANS, Executrix of
the ESTATE OF FRANK E. PAVLIS,

Plaintiff,

v.

KEY COMMERCIAL FINANCE,
LLC, KEY COMMERCIAL
FINANCE PROPERTIES, LLC,
EQUITY PROS, LLC, and MOBILE
AGENCY, LLC

Defendants.

C.A. No. 1:18-cv-01516-CFC

**SUPPLEMENTAL APPENDIX TO DEFENDANTS'
CONCISE STATEMENT ADMITTING AND DISPUTING
PLAINTIFF'S ASSERTED FACTS**

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Dated: August 31, 2020

Counsel for Defendants

Description	Date	Bates No.	Tab	Page
Deposition of George Chadwick Self (excerpts)	NA	NA	DA-22	A-220

DA-22

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

- - -

DEBORAH S. SKEANS, : CIVIL ACTION
Executrix of the ESTATE : NUMBER
OF FRANK E. PAVLIS, : 1:18-cv-01516-
Plaintiff, : CFC
v. :
KEY COMMERCIAL FINANCE, :
LLC, KEY COMMERCIAL :
FINANCE PROPERTIES, LLC, :
EQUITY PROS, LLC, and :
MOBILE AGENCY, LLC, :
Defendants. :

- - -

Monday, April 20, 2020

- - -

Oral deposition of GEORGE CHADWICK
SELF, taken remotely via Zoom, at 260 McManus
Road North, Patterson, New York 12563,
beginning at 9:31 a.m., reported
stenographically by Cheryl L. Goldfarb, a
Registered Professional Reporter, Notary
Public, and an approved reporter of the United
States District Court.

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Philadelphia, Pennsylvania 19103

GEORGE CHADWICK SELF

<p style="text-align: right;">Page 42</p> <p>1 Q. Thank you.</p> <p>2 What is Key Commercial Finance</p> <p>3 or Key?</p> <p>4 A. It's an LLC.</p> <p>5 Q. Do you recall when it was</p> <p>6 formed?</p> <p>7 A. I want to say around 2014 or so.</p> <p>8 Q. I'll represent to you --</p> <p>9 MR. MAHONEY: In fact, Cam, can</p> <p>10 we throw up CHRON001.</p> <p>11 - - -</p> <p>12 (Whereupon, Exhibit P-1 is</p> <p>13 marked for identification.)</p> <p>14 - - -</p> <p>15 BY MR. MAHONEY:</p> <p>16 Q. And Mr. Self, because this is</p> <p>17 video, it's all a little bit different. I'll</p> <p>18 confess, this is the first time that I've used</p> <p>19 this technology in a deposition. So hopefully</p> <p>20 it will go smoothly, but I can't guarantee it.</p> <p>21 But on the screen should be a document. There</p> <p>22 it is.</p> <p>23 Can you see that?</p> <p>24 A. It's small. Let me see if I can</p>	<p style="text-align: right;">Page 44</p> <p>1 can -- or maybe I can do it.</p> <p>2 Cam, you know what? Can you</p> <p>3 just scroll to the next --</p> <p>4 MS. REDFERN: (Complies.)</p> <p>5 MR. MAHONEY: There we go.</p> <p>6 Thank you.</p> <p>7 BY MR. MAHONEY:</p> <p>8 Q. Mr. Self, this is the</p> <p>9 Certificate of Formation for Key. And you'll</p> <p>10 see at the bottom where it's your signature, at</p> <p>11 least your electronic signature, as the</p> <p>12 authorized person.</p> <p>13 Is it your understanding that</p> <p>14 you were the one who actually filled it out or</p> <p>15 at least signed off on this Certificate of</p> <p>16 Formation for Key?</p> <p>17 A. Yeah, I think that -- I think</p> <p>18 that is correct, yes.</p> <p>19 Q. Okay. Now, tell me, prior to</p> <p>20 December 10th of 2014, when you submitted this</p> <p>21 Certificate of Formation, when is the first</p> <p>22 time you heard of an entity called Key</p> <p>23 Commercial Finance or at least discussed the</p> <p>24 creation of that entity?</p>
<p style="text-align: right;">Page 43</p> <p>1 blow it up a little bit.</p> <p>2 (Pause)</p> <p>3 Okay. I can see it.</p> <p>4 Q. I'll represent to you that's a</p> <p>5 document that was produced by the defendants in</p> <p>6 this litigation. And there are two pages to</p> <p>7 this document. The first page is the</p> <p>8 Certificate of Formation of Key Commercial</p> <p>9 Finance, LLC on December 10th of 2014.</p> <p>10 You don't have any reason to</p> <p>11 doubt that, do you?</p> <p>12 A. No. I mean, that looks correct.</p> <p>13 Q. Again, I'm just trying to get</p> <p>14 the timing down.</p> <p>15 A. Okay.</p> <p>16 Q. So when Key was formed, were you</p> <p>17 living in New York at that time?</p> <p>18 A. Yes.</p> <p>19 Q. Okay.</p> <p>20 A. Yes, I would have been. So --</p> <p>21 so, again, that -- that may put my arrival in</p> <p>22 New York at November of 2014.</p> <p>23 Q. Okay. Understood.</p> <p>24 MR. MAHONEY: And, Cam, if we</p>	<p style="text-align: right;">Page 45</p> <p>1 A. It would have -- it would have</p> <p>2 been sometime before that, for sure.</p> <p>3 Q. I assume that's the case. I'm</p> <p>4 just trying to get a sense of how long before</p> <p>5 that.</p> <p>6 A. I'm not sure I can -- I mean,</p> <p>7 I'm not sure I can really answer that question.</p> <p>8 We had talked about forming an entity. I think</p> <p>9 Key Commercial is the name that we settled on.</p> <p>10 Q. Who is "we"?</p> <p>11 A. Justin and I.</p> <p>12 Q. And what was the purpose of</p> <p>13 forming this entity?</p> <p>14 A. Key was going to be the -- the</p> <p>15 funding body for the platform that -- yeah.</p> <p>16 Q. At the time that you had</p> <p>17 submitted the Certificate of Formation in</p> <p>18 December of 2014, did you have an understanding</p> <p>19 as to where Key was going to get its funding?</p> <p>20 A. No. No, I don't -- I think the</p> <p>21 idea was that we would use some of our own</p> <p>22 money and we would have investors. But I</p> <p>23 don't -- I don't know that we -- or that I knew</p> <p>24 exactly who they were going to be at that</p>

12 (Pages 42 - 45)

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A-222

GEORGE CHADWICK SELF

<p style="text-align: right;">Page 46</p> <p>1 moment.</p> <p>2 Q. Did you even know, as of</p> <p>3 December of 2014, whether anyone had lined up</p> <p>4 any funding or any investors for Key?</p> <p>5 A. No, I didn't. I don't think so,</p> <p>6 no.</p> <p>7 Q. Did Mr. Billingsley indicate to</p> <p>8 you that he had lined up any investors as of</p> <p>9 December of 2014?</p> <p>10 A. No. I think that was part of</p> <p>11 our -- you know, that was part of our, what I</p> <p>12 would say -- our partnership agreement, at</p> <p>13 least, in my head was that Justin had those</p> <p>14 connections, and so he would be providing them.</p> <p>15 Q. At the time Key was formed in</p> <p>16 December of 2014, apart from you as the</p> <p>17 member -- and I'll represent to you that you're</p> <p>18 the sole member of Key.</p> <p>19 Do you understand that?</p> <p>20 A. Yes.</p> <p>21 Q. Okay.</p> <p>22 A. Well, yeah.</p> <p>23 Q. Pardon me?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 48</p> <p>1 correct?</p> <p>2 A. I don't remember setting up an</p> <p>3 employee payroll for Key.</p> <p>4 Q. Is it fair to say that as the</p> <p>5 sole member of Key, if it had employees, you</p> <p>6 would have known about it?</p> <p>7 A. No, not necessarily.</p> <p>8 Q. Why do you say "not</p> <p>9 necessarily"?</p> <p>10 A. Because -- well, I mean, again,</p> <p>11 employees require payroll, right? And I don't</p> <p>12 remember setting up a payroll. I know Key paid</p> <p>13 people, so perhaps as contractors or 1099s.</p> <p>14 Again, my, I guess, lane, if you</p> <p>15 want to call it a lane, for Key, at least in my</p> <p>16 mind, was that Key was going to help with the</p> <p>17 funding for the platform and the things related</p> <p>18 to the platform, particularly by finding</p> <p>19 investors for the platform. It was always our</p> <p>20 goal to make Key a 50/50 partnership.</p> <p>21 Q. You mean 50/50 between or among</p> <p>22 whom?</p> <p>23 A. Between Justin and I. It was</p> <p>24 initially -- I think it was initially set up</p>
<p style="text-align: right;">Page 47</p> <p>1 Q. Apart from you as a member and</p> <p>2 Mr. Billingsley playing some role, as of</p> <p>3 December of 2014, did Key have any other</p> <p>4 employees?</p> <p>5 MR. GREEN: Object to the form.</p> <p>6 BY MR. MAHONEY:</p> <p>7 Q. You can answer.</p> <p>8 A. I don't believe it did.</p> <p>9 Q. Do you recall who the first</p> <p>10 employee or employees were of Key?</p> <p>11 A. I don't -- it's not my</p> <p>12 recollection that Key had employees.</p> <p>13 Q. Ever?</p> <p>14 A. I think Key -- I think Equity</p> <p>15 Pros had employees.</p> <p>16 Q. Okay. We'll get to this later</p> <p>17 in the day, because we're going to go through</p> <p>18 some of the financial documents that were</p> <p>19 provided to us in this case. It certainly</p> <p>20 appears that Equity Pros had regular payroll,</p> <p>21 et cetera. So that makes perfect sense.</p> <p>22 But sitting here today, you</p> <p>23 don't have any recollection or belief that Key</p> <p>24 Commercial ever had an employee; is that</p>	<p style="text-align: right;">Page 49</p> <p>1 the way it was simply because I filled out the</p> <p>2 forms, you know, myself. And it was not -- I</p> <p>3 don't think it was my -- our intention to have</p> <p>4 a solely owned, you know, one person in charge</p> <p>5 of everything, making imperious decisions kind</p> <p>6 of -- kind of stuff.</p> <p>7 Q. Okay. So put aside whether it</p> <p>8 was documented or not.</p> <p>9 A. Okay.</p> <p>10 Q. In your mind, at least, you</p> <p>11 viewed Key as a partnership -- I don't mean in</p> <p>12 a legal sense, but in a practical working</p> <p>13 sense -- between you and Mr. Billingsley; is</p> <p>14 that fair?</p> <p>15 A. Yeah.</p> <p>16 Q. Okay. By the way, you said that</p> <p>17 you're the one who prepared the documentation?</p> <p>18 A. I think I -- I used a -- go</p> <p>19 ahead. I'm sorry, finish the question. I</p> <p>20 didn't hear that last part.</p> <p>21 Q. Yes, okay. I think you said</p> <p>22 that you're the one who actually prepared the</p> <p>23 paperwork necessary to create Key as a</p> <p>24 corporate entity; is that right?</p>

13 (Pages 46 - 49)

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A-223

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<p style="text-align: right;">Page 50</p> <p>1 MR. GREEN: Objection. I think</p> <p>2 that mischaracterizes his testimony.</p> <p>3 MR. MAHONEY: Okay. Well, he</p> <p>4 can tell me.</p> <p>5 MR. GREEN: You can answer.</p> <p>6 A. There's a company called UCI, I</p> <p>7 believe, out of Delaware. They assist with</p> <p>8 forming Delaware LLCs. It's called a</p> <p>9 registered agent. So I was in contact with</p> <p>10 them.</p> <p>11 BY MR. MAHONEY:</p> <p>12 Q. Do you recall when you first</p> <p>13 reached out to them?</p> <p>14 A. No. It would have been in 2014,</p> <p>15 I'm sure, but I don't know.</p> <p>16 Q. But in relation to when you</p> <p>17 actually got the Certificate of Formation on</p> <p>18 December 10th of 2014, was it a month before</p> <p>19 that? Weeks before that? Longer? Shorter?</p> <p>20 A. I couldn't tell you. It was a</p> <p>21 little while before we got the certificate for</p> <p>22 sure. I mean, in internet speed, it was pretty</p> <p>23 slow.</p> <p>24 Q. What does that mean? Does that</p>	<p style="text-align: right;">Page 52</p> <p>1 I just remember that there was this time period</p> <p>2 where we were trying to get Key set up.</p> <p>3 Q. What does that mean, trying to</p> <p>4 get set up? What do you recall being involved</p> <p>5 in that?</p> <p>6 A. Mailing address, you know,</p> <p>7 formation. We were just trying to get our sort</p> <p>8 of organization done, and, you know, while at</p> <p>9 the same time planning for the -- the platform</p> <p>10 and, you know, all those other things.</p> <p>11 Q. Apart from Mr. Billingsley, did</p> <p>12 anyone else assist you in preparing for the</p> <p>13 platform or doing anything in connection with</p> <p>14 Key prior to December 10th of 2014?</p> <p>15 A. We might have had some -- some</p> <p>16 like business coach style stuff with some --</p> <p>17 with some folks, but nothing -- and probably</p> <p>18 some legal help, like Wilson Sonsini. What's</p> <p>19 the name of that group? There was some other</p> <p>20 lawyers out of Phoenix.</p> <p>21 Q. Snell & Wilmer?</p> <p>22 A. That sounds familiar.</p> <p>23 Q. What do you recall Wilson</p> <p>24 Sonsini doing on behalf of Key?</p>
<p style="text-align: right;">Page 51</p> <p>1 mean from the time you submitted the paperwork</p> <p>2 to them until you got the certificate, was</p> <p>3 it --</p> <p>4 A. It felt like a while. But I</p> <p>5 don't know what -- how much time. I mean,</p> <p>6 when -- when you expect Amazon deliveries, you</p> <p>7 know, the next day --</p> <p>8 Q. Yeah.</p> <p>9 A. -- the LLC formations feel slow.</p> <p>10 Q. Okay. Again, are we talking</p> <p>11 that you felt you waited a month or was it --</p> <p>12 A. You know, I wouldn't --- sorry,</p> <p>13 I don't remember.</p> <p>14 Q. That's all right. During the</p> <p>15 time from when you submitted the paperwork --</p> <p>16 was it to UCI?</p> <p>17 A. I believe so.</p> <p>18 Q. Okay. -- until you received the</p> <p>19 Certificate of Formation, did Key conduct any</p> <p>20 business, to your knowledge?</p> <p>21 A. Well, I mean, I don't know, no,</p> <p>22 because I would have to know how long it took.</p> <p>23 So, I'm sorry, I don't know.</p> <p>24 I know we were setting up Key.</p>	<p style="text-align: right;">Page 53</p> <p>1 MR. GREEN: I'm going to just</p> <p>2 jump in. This isn't really an objection,</p> <p>3 but to the extent that this is</p> <p>4 attorney-client privileged, don't</p> <p>5 disclose it. But you can disclose the</p> <p>6 nature of the work.</p> <p>7 You can answer.</p> <p>8 THE WITNESS: I'm sorry.</p> <p>9 A. So are you asking me how I knew</p> <p>10 Wilson Sonsini?</p> <p>11 BY MR. MAHONEY:</p> <p>12 Q. Yes. Well, I didn't ask that,</p> <p>13 but let's start there.</p> <p>14 How did you know Wilson Sonsini?</p> <p>15 A. I never met anyone there. I</p> <p>16 knew the name from the Mobile Co. I think they</p> <p>17 did a lot of the fund-raising side of</p> <p>18 Mobile Co.</p> <p>19 Q. Now, in connection with Key,</p> <p>20 what's your understanding of the nature of the</p> <p>21 work that Wilson Sonsini did for Key?</p> <p>22 A. Well, I don't -- I don't know</p> <p>23 that they did anything offhand. I mean, I'm</p> <p>24 not trying to be -- I don't know that they did</p>

14 (Pages 50 - 53)

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A-224

GEORGE CHADWICK SELF

<p style="text-align: right;">Page 54</p> <p>1 anything. That's just a name that popped into 2 my head as I was doing it. 3 We would have probably talked to 4 those guys about how to set up ourselves for a 5 raise. But that's kind of out of my depth. 6 That's really not what -- what I was brought in 7 for. 8 Q. What's your understanding of 9 what your role was at Key? 10 A. As far as the platform 11 development, my job was to transfer what the 12 expectations of a user would be, whether it's 13 the homeowner or a buyer, and then translate 14 that into design and code, managing programming 15 teams and design teams. 16 Q. Do you know whether Key had any 17 sort of written business plan or business model 18 when it began? 19 A. I'm sure it would have, but I -- 20 I don't -- I don't know offhand. I mean, we 21 wouldn't have started it without something. 22 Q. If I wanted to find that, where 23 would I find it? 24 MR. GREEN: Objection. I think</p>	<p style="text-align: right;">Page 56</p> <p>1 did that refresh your recollection that there 2 was at least one such diagram? 3 A. Yes. 4 Q. Do you recall other documents 5 that you would consider to be, in sum or 6 substance, a business plan for Key? 7 A. Not that -- not that I recall. 8 But we -- I'm sure -- it would seem that there 9 would be, just because of how we typically 10 operate. 11 Q. Okay. 12 MR. KITTILA: Bill, just for the 13 record, in the preparation, he was 14 prepped with documents that were produced 15 to you, only documents that were produced 16 to you. 17 MR. MAHONEY: Okay. I 18 appreciate that, Ted. Thank you. 19 BY MR. MAHONEY: 20 Q. Key is formed as a Delaware LLC 21 December of 2014. 22 At that point, did Key have 23 office space? 24 And you know what? I don't want</p>
<p style="text-align: right;">Page 55</p> <p>1 that mischaracterizes what he was talking 2 about. 3 BY MR. MAHONEY: 4 Q. You can answer the question, 5 Mr. Self. 6 A. Justin has a Dropbox. We would 7 have had kind of workflow diagrams, perhaps, of 8 how things would work for, you know, 9 partnerships and that kind of stuff going 10 forward. 11 It's my understanding that you 12 guys have that Dropbox, correct? 13 Q. I have no idea if we have it or 14 not. 15 Do you recall seeing such 16 documents or flow diagrams, et cetera, that you 17 mentioned? 18 A. I saw one -- one of the ones 19 that -- we went over one on our meeting. 20 MR. GREEN: I'm going to ask you 21 to not go into too deeply about what we 22 talked about. 23 BY MR. MAHONEY: 24 Q. Well, having seen that document,</p>	<p style="text-align: right;">Page 57</p> <p>1 to be coy with you. I'm looking at another 2 document here. It's actually the articles -- 3 I'm sorry, the operating agreement for Key 4 Commercial. And it indicates that the 5 principal place of business was 1511 Route 22, 6 Suite 152 in Brewster, New York. 7 Mr. Self, are you familiar with 8 that address? 9 A. Yes. 10 Q. What is it? 11 A. It's a mailbox. 12 Q. At the time that Key was formed, 13 did it have any physical office space? 14 A. My deal with Mobile Co. was that 15 I had a home office. So that home office 16 existed. We didn't have like a real estate 17 storefront at that time, I don't believe. 18 Q. Okay. Did there come a time 19 when Key did have -- you say "real estate 20 storefront" -- but some physical office space, 21 separate and apart from somebody's home office? 22 A. I don't believe it would be 23 under Key. I think Equity Pros had an office. 24 I mean, I know Equity Pros had an office in</p>

15 (Pages 54 - 57)

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A-225

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<p style="text-align: right;">Page 74</p> <p>1 MR. KITTILA: Bill, can you 2 clean up the record a little bit on that, 3 then? 4 I think P-1 was the Certificate 5 of Formation. Am I right, Cam, on that 6 one? 7 MS. REDFERN: Yes. 8 MR. KITTILA: And then P-2 was 9 just the private placement memo that we 10 just saw? 11 MS. REDFERN: Yes. 12 MR. KITTILA: And then I guess, 13 Bill, I don't want to steal your thunder, 14 but this looks like P-3 coming up? 15 MR. MAHONEY: Yes. 16 MR. KITTILA: All right. 17 --- 18 (Whereupon, Exhibit P-3 is 19 marked for identification.) 20 --- 21 MR. MAHONEY: Okay. Terrific. 22 Thank you. 23 BY MR. MAHONEY: 24 Q. Mr. Self, P-3 is what purports</p>	<p style="text-align: right;">Page 76</p> <p>1 A. No, I'm not overly surprised; 2 no. 3 Q. Are you surprised that these 4 documents are dated in August, well before Key 5 was even formed? 6 MR. GREEN: Object to the form. 7 You can answer. 8 A. It's puzzling. But, again, I 9 mean, we were going to be raising money. So, 10 yeah, I don't -- I don't -- I can't explain the 11 dates, per se. But it may have been a 12 negligence on my part in the filing. I don't 13 know. It did seem like it took a while. 14 But, you know, it's not 15 surprising to me that there are these documents 16 that we were collecting funding for sure. 17 BY MR. MAHONEY: 18 Q. Okay. And do you have any idea 19 where these documents were maintained at Key? 20 A. I felt like -- well, again, I 21 don't -- I don't know -- they were not 22 maintained in my control. I guess I assumed 23 that the loan agreement, whatever, would be 24 with the law firms that -- that Justin was</p>
<p style="text-align: right;">Page 75</p> <p>1 to be a Subscription Agreement of Key 2 Commercial Finance, LLC. It's effective as of 3 August 18th of 2014. 4 Have you ever seen this document 5 before? 6 A. I don't -- I don't believe I 7 have. 8 Q. Are you surprised to see that 9 this is now the second document relating to 10 some form of offering to raise money for Key 11 that you haven't seen before? 12 MR. GREEN: Objection to form. 13 But you can answer. 14 A. Well, again, Justin and I agreed 15 that he was going to be out raising money for 16 Key. How -- you know, the -- the form of the 17 raise, we didn't -- I didn't speculate -- it's 18 really not my area of expertise, so. 19 BY MR. MAHONEY: 20 Q. I understand that. That's not 21 quite what I'm asking, though. 22 Are you surprised that there are 23 documents relating to a potential capital raise 24 for Key that you had not seen before today?</p>	<p style="text-align: right;">Page 77</p> <p>1 using, like if it was Sonsini or if it was 2 Snell. 3 MR. MAHONEY: Cam, I'm sorry, 4 you can take that down. 5 THE WITNESS: Can I just -- I 6 just need to get a tissue. I'll be right 7 back. 8 MR. MAHONEY: Sure. 9 THE WITNESS: Okay. Sorry about 10 that. My allergies are playing up a 11 little today. 12 MR. MAHONEY: No, that's fine. 13 BY MR. MAHONEY: 14 Q. Mr. Self, when did you first 15 become aware that Mr. Pavlis either had or was 16 contemplating making any investment in Key? 17 A. I don't -- I don't know that I 18 could put a date on it. It is something 19 that -- that Justin and I talked about. 20 Q. Okay. 21 A. But I don't -- I couldn't put a 22 date on it. 23 Q. To the best of your 24 recollection, what did you and Mr. Billingsley</p>

20 (Pages 74 - 77)

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A-226

GEORGE CHADWICK SELF

<p style="text-align: right;">Page 78</p> <p>1 discuss?</p> <p>2 A. That Mr. Pavlis was going to</p> <p>3 invest in Key and help us build that platform.</p> <p>4 Q. Did he tell you anything else</p> <p>5 about it?</p> <p>6 A. Like -- like what?</p> <p>7 Q. Like anything.</p> <p>8 A. I'm not sure -- all right. So</p> <p>9 that there was going to be an investment, yes.</p> <p>10 That it was going to help us build our</p> <p>11 platform, yeah. And I think it was -- it was</p> <p>12 going to be -- there's a lot of money. But,</p> <p>13 yeah, that's kind of what we had talked about.</p> <p>14 Q. Did you get any understanding</p> <p>15 from Mr. Billingsley as to when or under what</p> <p>16 circumstances he had discussed this with</p> <p>17 Mr. Pavlis?</p> <p>18 A. When you say "under what</p> <p>19 circumstances" --</p> <p>20 Q. I'm sorry, I missed you there.</p> <p>21 A. When you're saying, "under what</p> <p>22 circumstances," what's the --</p> <p>23 Q. Yes. Did Mr. Billingsley</p> <p>24 indicate to you what he discussed with</p>	<p style="text-align: right;">Page 80</p> <p>1 ---</p> <p>2 (Whereupon, Exhibit P-4 is</p> <p>3 marked for identification.)</p> <p>4 ---</p> <p>5 BY MR. MAHONEY:</p> <p>6 Q. Mr. Self --</p> <p>7 A. Yes.</p> <p>8 Q. -- I'll represent to you that</p> <p>9 this is a document again produced in this</p> <p>10 matter, and it reports to be a convertible</p> <p>11 promissory note issued by Key Commercial in the</p> <p>12 amount of \$3 million to Frank Pavlis.</p> <p>13 Have you ever seen this document</p> <p>14 before today? And just to be clear, this is</p> <p>15 the first page of a multiple-page document.</p> <p>16 A. Okay, sorry. I do not recall</p> <p>17 this document, no.</p> <p>18 Q. So sitting here today, you don't</p> <p>19 recall seeing it before right now?</p> <p>20 A. It might have been one that I</p> <p>21 reviewed as -- you know, as -- you know,</p> <p>22 leading up to this con -- to this deposition,</p> <p>23 perhaps.</p> <p>24 Q. Let me ask it this way: Prior</p>
<p style="text-align: right;">Page 79</p> <p>1 Mr. Pavlis and, for example, when did the</p> <p>2 discussions take place, how was it that</p> <p>3 Mr. Pavlis came to agree to invest money?</p> <p>4 Anything along those lines?</p> <p>5 A. No, not per se. My -- my</p> <p>6 intuition was that Mr. Pavlis and Justin had</p> <p>7 regular conversations. But I wasn't -- I</p> <p>8 wasn't part of them. I think he was -- he went</p> <p>9 to see Mr. Pavlis a few times. I think he had</p> <p>10 phone conversations with Mr. Pavlis, but I</p> <p>11 don't -- I wasn't there for the details.</p> <p>12 Q. Okay. And I know you said that</p> <p>13 you don't recall when Mr. Billingsley told you</p> <p>14 that Mr. Pavlis was going to invest. But I'm</p> <p>15 going to try to pin it down somehow.</p> <p>16 Was it before or after Key had</p> <p>17 already been formed?</p> <p>18 MR. GREEN: Object to the form.</p> <p>19 You can answer.</p> <p>20 A. I -- I would say it was -- I</p> <p>21 would say it was -- I would say it was after.</p> <p>22 But, yeah, that would be my . . .</p> <p>23 MR. MAHONEY: Cam, if you would</p> <p>24 throw up CHRON101.</p>	<p style="text-align: right;">Page 81</p> <p>1 to you preparing for this deposition, is it</p> <p>2 right that you have no recollection of seeing</p> <p>3 this document?</p> <p>4 A. That would -- that would be</p> <p>5 correct.</p> <p>6 MR. MAHONEY: Cam, if you can</p> <p>7 flip through a few pages in. The Bates</p> <p>8 label ends 811.</p> <p>9 BY MR. MAHONEY:</p> <p>10 Q. Now, Mr. Self, this is the</p> <p>11 signature page for the note, and it purports to</p> <p>12 be signed on behalf of Key by Michael</p> <p>13 Silberman, and whose title was executive vice</p> <p>14 president.</p> <p>15 Was Mr. Silberman ever executive</p> <p>16 vice president of Key?</p> <p>17 A. I did not make him an executive</p> <p>18 vice president.</p> <p>19 Q. Before today, have you ever</p> <p>20 heard anyone refer to Mr. Silberman as being</p> <p>21 the executive vice president or having any</p> <p>22 title or employment with Key?</p> <p>23 MR. GREEN: Object to the form.</p> <p>24 But you can answer.</p>

21 (Pages 78 - 81)

GEORGE CHADWICK SELF

<p style="text-align: right;">Page 94</p> <p>1 Q. Okay. I'm going to break that 2 down. 3 As I heard it -- and if I get 4 this wrong, please correct me -- you mentioned 5 four specific items or areas. One was the 6 nature of the characterizations that we made? 7 A. Uh-hum. 8 Q. What are you referring to there? 9 What did you and he discuss about that? 10 A. Your Complaint makes multiple 11 references to Justin's character that I 12 fundamentally disagree with based on my 13 experience with Justin. 14 Q. Anything else that would fall 15 under the category of the nature of the 16 characterizations? 17 A. Your Complaint also indicates 18 that Key is a wholly fraudulent enterprise, a 19 characterization that I personally know to be 20 false. 21 Q. What else? 22 A. Those are the two major 23 characterizations. 24 Q. The next topic or the next</p>	<p style="text-align: right;">Page 96</p> <p>1 But I believe I would have indicated -- 2 Q. I'm sorry. Mischaracterization 3 of how the money was invested and used? 4 A. Yes. There again, I don't have 5 your Complaint in front of me. But several 6 times in that Complaint it either directly 7 stated or implied that the sole use of the 8 investment was for self-dealing and 9 self-enrichment, both of which I know from 10 personal experience, because I lived it, are 11 untrue. 12 Q. Any other mischaracterizations 13 that you and Mr. Billingsley discussed, other 14 than what you've already mentioned? 15 A. We -- some of the 16 characterizations about how the money was 17 obtained we disagree with and deny. But that 18 is in the -- I believe the reply, the rebuttal 19 to the Complaint. 20 Much of that I do not have 21 personal knowledge of because I was working on 22 building the platform, not on -- on procuring 23 the investment and, you know, all the details 24 that go into that.</p>
<p style="text-align: right;">Page 95</p> <p>1 category was the impact of this lawsuit on the 2 ability to sell the platform. 3 What do you mean by that? 4 A. Let's back that up. Not simply 5 the lawsuit, the characterizations made. 6 Q. Explain that. What do you mean 7 specifically? 8 A. The interview that Ms. Skeans 9 gave to the newspaper in Arizona, her 10 characterizations within that interview, its 11 subsequent publication, and the devastating 12 impact that it had on our ability to find 13 partners and -- and monetize this platform that 14 we built. 15 Q. Okay. I'm going to circle back 16 to that one later in the day. 17 The third one was, if my notes 18 are correct, mischaracterization how the money 19 was -- I'm sorry, I can't even make out my own 20 writing. 21 Do you recall what your third 22 item that you said you and Mr. Billingsley 23 discussed? 24 A. I didn't write them down either.</p>	<p style="text-align: right;">Page 97</p> <p>1 Q. Okay. And then the final item 2 was, quote, our means of defense. 3 What do you mean by that? 4 A. How we were going to defend 5 ourselves against this slandering lawsuit. 6 Q. Anything more specific that you 7 discussed with Mr. Billingsley? 8 A. Like we were going to have to 9 hire a lawyer. You know, we were going to have 10 to find counsel. We were going to have to 11 spend money doing that instead of, you know, 12 fleshing out the platform and finding partners, 13 because now we have this dart in us. 14 MR. MAHONEY: Give me one 15 second. 16 (Pause) 17 Hey, Cam, I'm sorry, you can 18 take that down. 19 Are you okay? Do you need to 20 take a break, Mr. Self? 21 THE WITNESS: No, I'm good. 22 Itchy nose. 23 BY MR. MAHONEY: 24 Q. From the time that you began at</p>

25 (Pages 94 - 97)

GEORGE CHADWICK SELF

<p style="text-align: right;">Page 102</p> <p>1 are excited to get our joint venture with you 2 going"?</p> <p>3 A. This was -- again, I'm not -- I 4 don't have a hundred percent recall, but I'm 5 imagining -- not imagining. I feel like this 6 is the Atlanta enterprise.</p> <p>7 Q. What specifically does the, as 8 you put it, Atlanta enterprise have to do with 9 a joint venture?</p> <p>10 A. Well, Gary was the HomeVestors 11 guy. He had the connections at HomeVestors. 12 His connections with HomeVestors are what were 13 kind of used to set up that house flipping 14 entity, whatever, in Atlanta.</p> <p>15 Q. Okay. I thought you indicated 16 that at least your understanding was, Key was 17 going to be used to fund the building of the 18 platform?</p> <p>19 A. Yeah.</p> <p>20 Q. Am I right that whatever was 21 being done in Atlanta had nothing to do with 22 building a platform, correct?</p> <p>23 MR. GREEN: Object to the form.</p> <p>24 A. I would argue it had a lot to do</p>	<p style="text-align: right;">Page 104</p> <p>1 You can answer.</p> <p>2 A. Yes. Yes.</p> <p>3 BY MR. MAHONEY:</p> <p>4 Q. Any sense how many properties 5 either Key or any related entity actually 6 purchased?</p> <p>7 A. I don't have that count in my 8 head. It would have been between ten and 20 9 for sure.</p> <p>10 Q. Okay. You don't think more than 11 20, though, right?</p> <p>12 A. We might have been tangentially 13 involved in more than 20 deals. But as far as 14 having, you know, deeds and sales, I don't -- I 15 don't think so.</p> <p>16 Q. Who was responsible within Key 17 or Equity Pros, or whatever other entity 18 purchased the properties, who was actually 19 responsible for the day-to-day operations of 20 that part of it?</p> <p>21 Because you said you were 22 working on the platform.</p> <p>23 A. Yes. So the admin for that 24 side, I think, it was Debbie Billingsley.</p>
<p style="text-align: right;">Page 103</p> <p>1 with building a platform, because not only were 2 we learning about different markets, 3 particularly Atlanta, which was a hot market, 4 we were learning about how marketing to -- 5 directly to homeowners was done by HomeVestors. 6 We were establishing relationships with buyers. 7 Yeah, I think this is all part of it.</p> <p>8 BY MR. MAHONEY:</p> <p>9 Q. Is it your understanding, by the 10 way, that either Key or other related entities 11 actually purchased real estate and flipped it?</p> <p>12 MR. GREEN: Object to the form.</p> <p>13 You can answer.</p> <p>14 THE WITNESS: Okay.</p> <p>15 A. Yes, I believe that's -- that is 16 definitely my -- actually, state your question 17 again.</p> <p>18 BY MR. MAHONEY:</p> <p>19 Q. Yes. Is it your understanding 20 that Key or related entities, Equity Pros, for 21 example, that they were investing in real 22 estate to flip those, and residential real 23 estate properties, right?</p> <p>24 MR. GREEN: Object to the form.</p>	<p style="text-align: right;">Page 105</p> <p>1 Q. Okay.</p> <p>2 A. There was a rep -- well, I call 3 him a rep. He was a 1099 in Atlanta who 4 actually made contact with the homeowners, made 5 negotiations with them.</p> <p>6 I also was involved in the sense 7 of we ran meetings where we would track 8 progress on the funnel, how it was doing, et 9 cetera.</p> <p>10 Q. What do you mean by "the 11 funnel"?</p> <p>12 A. Like homeowner contacts. You 13 know, they start at the top of the funnel, 14 right? So it's the wide mouth there, as many 15 people as you can get in. And then you take 16 them down the funnel. And then at the bottom 17 of the funnel, hopefully there's a sale, a 18 purchase.</p> <p>19 Q. And in that process, did you use 20 your platform at all?</p> <p>21 A. No, we didn't use the platform 22 for that process. That process informed how 23 the platform would be built.</p> <p>24 MR. MAHONEY: All right, Cam,</p>

27 (Pages 102 - 105)

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A-229

GEORGE CHADWICK SELF

<p style="text-align: right;">Page 106</p> <p>1 that's fine. Thank you.</p> <p>2 BY MR. MAHONEY:</p> <p>3 Q. Were you aware of any</p> <p>4 negotiations between Mr. Miller and</p> <p>5 Mr. Billingsley relating to the transfer of</p> <p>6 funds that Mr. Pavlis had invested in Allwest,</p> <p>7 from Allwest to Key?</p> <p>8 MR. GREEN: Object to the form.</p> <p>9 You can answer.</p> <p>10 THE WITNESS: Okay.</p> <p>11 A. I know that there were talks</p> <p>12 back and forth between Gary and Justin, yes.</p> <p>13 BY MR. MAHONEY:</p> <p>14 Q. Before today, did you understand</p> <p>15 that what they were discussing is, Mr. Miller,</p> <p>16 rather than repaying Mr. Pavlis funds that</p> <p>17 Mr. Pavlis had invested in Allwest, that he</p> <p>18 would instead transfer those funds to Key?</p> <p>19 MR. GREEN: Object to the form.</p> <p>20 You can answer.</p> <p>21 A. I think it's my understanding at</p> <p>22 least that Allwest was a vehicle that Key used</p> <p>23 for Justin as a -- as a means of -- of, you</p> <p>24 know, creating more funds. So Allwest was -- I</p>	<p style="text-align: right;">Page 108</p> <p>1 intended to go to Key? Is that your testimony?</p> <p>2 MR. GREEN: Object to the form.</p> <p>3 You can answer.</p> <p>4 THE WITNESS: Okay.</p> <p>5 A. I guess my impression was that</p> <p>6 they were Key's funds, because Mr. Pavlis had</p> <p>7 invested in Key.</p> <p>8 BY MR. MAHONEY:</p> <p>9 Q. And my question is, what's your</p> <p>10 basis for saying that Mr. Pavlis had invested</p> <p>11 in Key?</p> <p>12 A. Well, I guess probably</p> <p>13 conversations with Justin. Yeah. I mean, I --</p> <p>14 and because Gary -- Mr. Miller, you know, paid</p> <p>15 that money to Key. I guess I just thought -- I</p> <p>16 thought that because that's how it ended up. I</p> <p>17 don't know that I have any paperwork that says</p> <p>18 that, if that's the question.</p> <p>19 MR. MAHONEY: Okay. Give me one</p> <p>20 second.</p> <p>21 (Pause)</p> <p>22 BY MR. MAHONEY:</p> <p>23 Q. Did Mr. Billingsley ever tell</p> <p>24 you that that was the case?</p>
<p style="text-align: right;">Page 107</p> <p>1 guess in my view, Allwest was a partner with</p> <p>2 Justin in -- in those funds rather than the</p> <p>3 ultimate investment of those funds, if that</p> <p>4 makes sense.</p> <p>5 Does that answer the question?</p> <p>6 BY MR. MAHONEY:</p> <p>7 Q. It actually didn't make sense to</p> <p>8 me.</p> <p>9 A. Okay. So I guess it was my</p> <p>10 impression that the funds were actually</p> <p>11 invested with Key, and that Key and Allwest --</p> <p>12 or that Allwest was using those funds to flip</p> <p>13 houses in California. And then that money was</p> <p>14 returned to Key, which is what I thought the</p> <p>15 initial investment was, I guess.</p> <p>16 Q. How did you come by that</p> <p>17 understanding?</p> <p>18 A. That's just my understanding.</p> <p>19 Q. Yes. I understand that.</p> <p>20 A. Yeah, okay. I guess because Key</p> <p>21 got that -- Key was paid that money.</p> <p>22 Q. Okay. So because Allwest</p> <p>23 transferred Mr. Pavlis' funds to Key, you</p> <p>24 believe that somehow those funds were always</p>	<p style="text-align: right;">Page 109</p> <p>1 MR. GREEN: Object to the form.</p> <p>2 You can answer.</p> <p>3 A. That which was the case? That</p> <p>4 the funds went to Key and that Key distributed</p> <p>5 the funds?</p> <p>6 BY MR. MAHONEY:</p> <p>7 Q. Well, we'll start with that one.</p> <p>8 Go ahead.</p> <p>9 A. Yes. I think we've had -- we</p> <p>10 had, quote, conversations about that, yeah.</p> <p>11 Q. Did Mr. Billingsley tell you</p> <p>12 that Mr. Pavlis originally investigated</p> <p>13 \$7 million with Allwest, with the understanding</p> <p>14 that it was really an investment in Key?</p> <p>15 MR. GREEN: Object to the form.</p> <p>16 You can answer.</p> <p>17 A. I don't know if -- if it was</p> <p>18 stated specifically like that. But that's --</p> <p>19 that's the -- the inference I had, yes.</p> <p>20 BY MR. MAHONEY:</p> <p>21 Q. Are you aware of any</p> <p>22 documentation that reflects that?</p> <p>23 A. No.</p> <p>24 Q. Is it fair to say that you were</p>

28 (Pages 106 - 109)

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A-230

GEORGE CHADWICK SELF

<p style="text-align: right;">Page 150</p> <p>1 ever asking you for information because he 2 wanted to provide some report to Mr. Pavlis? 3 A. You're asking if he mentioned 4 Mr. Pavlis in connection with was there some 5 kind of a report or did he ask for a reporting 6 about -- I'm not -- I'm not clear on -- are you 7 asking if he asked in relation to a report he 8 was providing for Mr. Pavlis -- 9 Q. Yes. 10 A. -- or if, in general, he wanted 11 information on how things were going in Atlanta 12 or anywhere else? 13 Q. Let's start with the first one, 14 and then I'll ask you to answer the second one. 15 A. The first one is no. 16 Q. Okay. How about the second 17 question? 18 A. Yes. 19 Q. Walk me through that. How often 20 would you provide information to 21 Mr. Billingsley relating to different 22 properties that Key owned or perhaps, you know, 23 one of the other related entities owned? 24 A. He maintained a spreadsheet that</p>	<p style="text-align: right;">Page 152</p> <p>1 marked for identification.) 2 - - - 3 BY MR. MAHONEY: 4 Q. Mr. Self, I'll represent to you 5 that this is a Certificate of Formation of an 6 entity called Mobile Agency, LLC, and it is 7 dated July 7th of 2015. And you are the person 8 who signs it as the authorized person. 9 Why did you create Mobile 10 Agency, LLC? 11 MR. GREEN: Object to form. 12 You can answer. 13 A. We were still casting around for 14 a brand to a great extent. And the -- we came 15 from Mobile Co., right? We liked the idea of 16 Mobile, helping people work remotely. So 17 Mobile Agency was one of those brands we 18 considered. 19 BY MR. MAHONEY: 20 Q. And presumably, you decided that 21 that was the name that you would use, correct? 22 A. Yeah, we -- we created a website 23 for it. We created a little platform sort of 24 step for it, yeah.</p>
<p style="text-align: right;">Page 151</p> <p>1 showed, for example, the Atlanta properties, 2 price bought, rehab money spent, likely sell 3 sorts of things. 4 Q. I take it you've actually seen 5 this spreadsheet? 6 A. Yes. 7 Q. And is it your understanding 8 that the spreadsheet was also maintained in a 9 Dropbox? 10 A. I believe so. 11 MR. GREEN: Object to form. 12 You can answer. 13 A. (Continuing) yeah, I believe it 14 was. 15 BY MR. MAHONEY: 16 Q. When is the last time you saw 17 the spreadsheet? 18 A. More than a year, possibly two. 19 MR. MAHONEY: We can put that 20 aside, Cam. Thank you. 21 Next one, Cam, is 003 and 004. 22 MS. REDFERN: 003 will be P-16. 23 - - - 24 (Whereupon, Exhibit P-16 is</p>	<p style="text-align: right;">Page 153</p> <p>1 Q. And what business was Mobile 2 Agency, LLC supposed to be in? 3 A. It was in the -- again, we were 4 still trying -- we were still looking to get 5 homeowner direct purchases. 6 Q. Is this related to or a 7 continuation of the platform that you mentioned 8 earlier? 9 A. Yes. 10 Q. So fair to say that as of July 11 of 2015, you were still working on the 12 platform, but you did not have a finished 13 product? 14 A. I'm not -- I'm not sure about 15 that date range. 16 THE WITNESS: Go ahead, Bill. 17 I'm sorry. 18 MR. GREEN: I was just objecting 19 to the form. 20 You can answer. 21 THE WITNESS: Okay. 22 A. (Continuing) Not having, you 23 know, all the dates in front of me, I mean, the 24 platform is ongoing, in my view, so yeah.</p>

39 (Pages 150 - 153)

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A-231

GEORGE CHADWICK SELF

<p style="text-align: right;">Page 154</p> <p>1 BY MR. MAHONEY:</p> <p>2 Q. Okay. But certainly Mobile</p> <p>3 Agency -- and I'll represent to you that it</p> <p>4 looks like you formed Mobile Agency, LLC in</p> <p>5 July of 2015 and you also formed a limited</p> <p>6 partnership called Mobile Agency, LP the same</p> <p>7 day, July 7th, 2015, indicating that it was a</p> <p>8 limited partnership, and the general partner</p> <p>9 was Mobile Agency, LLC. Does that all sound</p> <p>10 right to you?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. Do you know why you set</p> <p>13 it up as a limited partnership?</p> <p>14 A. Well, the -- one of the partners</p> <p>15 in that limited partnership was a Canadian</p> <p>16 resident. Part of the -- his expertise was in</p> <p>17 search engine marketing.</p> <p>18 Q. And that would be Mr. Padden, if</p> <p>19 I have his name right?</p> <p>20 A. Correct.</p> <p>21 Q. Tell me what the relationship</p> <p>22 was between Mr. Padden and Mobile Agency.</p> <p>23 A. Mr. Padden had created a company</p> <p>24 in Canada that did search engine marketing. He</p>	<p style="text-align: right;">Page 156</p> <p>1 A. I'm not sure if it's defunct in</p> <p>2 Canada or not. It hasn't done business in</p> <p>3 Canada for some time.</p> <p>4 Q. Is it doing any business in the</p> <p>5 U.S.?</p> <p>6 A. The website still exists. The</p> <p>7 platform that we built for uploading of, you</p> <p>8 know, derelict houses still exists. It's tied</p> <p>9 into our platform.</p> <p>10 Q. When you say, "It's tied into</p> <p>11 our platform," explain that to me. What do you</p> <p>12 mean?</p> <p>13 A. Part of the technology we built</p> <p>14 for Mobile Agency -- and, you know, this may be</p> <p>15 a long story, so I apologize.</p> <p>16 Q. That's all right. I asked the</p> <p>17 question.</p> <p>18 A. -- was that anyone with a cell</p> <p>19 phone, particularly a smartphone, could find a</p> <p>20 derelict or abandoned or what we call a high</p> <p>21 bush house, could shoot some pictures from the</p> <p>22 sidewalk of the house and upload it to the</p> <p>23 website, to the Mobile.agency -- what we call</p> <p>24 the hub.</p>
<p style="text-align: right;">Page 155</p> <p>1 offered to sell it to us and provide technical</p> <p>2 expertise so that we could springboard the</p> <p>3 launch of the platform using Mobile -- using</p> <p>4 the search engine marketing.</p> <p>5 Q. Is Mr. Padden still a limited</p> <p>6 partner?</p> <p>7 A. No.</p> <p>8 Q. I'm sorry?</p> <p>9 A. No.</p> <p>10 Q. When did that relationship end?</p> <p>11 A. I don't know about what the date</p> <p>12 would be. But Mr. Padden did not live up to</p> <p>13 his side of the bargain, and so was -- was --</p> <p>14 we terminated that partnership.</p> <p>15 Q. Do you know, was it within a</p> <p>16 year? Two years? Any idea?</p> <p>17 A. Feels like a year, but I don't</p> <p>18 have a great --</p> <p>19 Q. Okay.</p> <p>20 A. -- great timeline on that.</p> <p>21 Q. Is Mobile Agency, Limited</p> <p>22 Partnership still operating?</p> <p>23 A. It might be.</p> <p>24 Q. But you can't say for certain?</p>	<p style="text-align: right;">Page 157</p> <p>1 The hub would automatically</p> <p>2 populate the pictures of the property. It</p> <p>3 would link it to the person who uploaded it.</p> <p>4 And if we were able to find someone to buy that</p> <p>5 property, the person who took the picture would</p> <p>6 get a smaller or larger fee for having -- as a</p> <p>7 finder's fee.</p> <p>8 Q. Okay.</p> <p>9 A. So that was -- that's where</p> <p>10 Mobile Agency ended up. We used -- I guess it</p> <p>11 wasn't that long of a story after all.</p> <p>12 Anyway, so Mobile Agency, that's</p> <p>13 where it kind of ended up. We did Craigslist</p> <p>14 advertising and some other advertising to get</p> <p>15 people to sign up.</p> <p>16 Q. Mr. Self, can I interrupt you</p> <p>17 real quick, if you don't mind?</p> <p>18 A. Yes.</p> <p>19 MR. MAHONEY: Cam, can you just</p> <p>20 drop that document, please.</p> <p>21 A. (Continuing) So, anyway, to get</p> <p>22 people to sign up, and we were starting to --</p> <p>23 to get some interest, particularly in Oakland</p> <p>24 and San Fran, where we kind of ran some initial</p>

40 (Pages 154 - 157)

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A-232

GEORGE CHADWICK SELF

Page 330	Page 332
<p>1 Q. What is it?</p> <p>2 A. It's a telephony service.</p> <p>3 Q. And is it something that Key</p> <p>4 Commercial subscribed to?</p> <p>5 A. It is.</p> <p>6 Q. What kind of service is it?</p> <p>7 A. They provide phone numbers.</p> <p>8 Q. What do you mean?</p> <p>9 A. You can buy a phone number, pick</p> <p>10 your region, assign multiple phone numbers to</p> <p>11 the same person.</p> <p>12 Q. Does it provide any sort of</p> <p>13 online recording of messages?</p> <p>14 A. I suppose it can.</p> <p>15 Q. Did you ever use it for that</p> <p>16 purpose?</p> <p>17 A. I did not, no. I wasn't on the</p> <p>18 call team.</p> <p>19 Q. If I told you that Equity Pros,</p> <p>20 on its P&L, had payroll for wages of over</p> <p>21 \$1.1 million, would that surprise you?</p> <p>22 A. Is that all -- all in for the</p> <p>23 programming team, et cetera?</p> <p>24 Q. Yeah, that I don't know. It's</p>	<p>1 BY MR. MAHONEY:</p> <p>2 Q. Did you ever have a discussion</p> <p>3 with Mr. Billingsley as to why a 97-year-old</p> <p>4 man would invest \$7 million and get notes that</p> <p>5 wouldn't be payable until he was 102 and</p> <p>6 103 years old, respectively?</p> <p>7 MR. GREEN: Objection to form.</p> <p>8 You can answer.</p> <p>9 A. Let me take the first part of</p> <p>10 that question first.</p> <p>11 BY MR. MAHONEY:</p> <p>12 Q. Yes.</p> <p>13 A. I didn't know that Mr. Pavlis</p> <p>14 was 90 -- what did you say?</p> <p>15 Q. I believe he was 97 in 2014.</p> <p>16 A. So that's not something that I</p> <p>17 knew. So that's not a conversation we had, no.</p> <p>18 Q. I assume -- well, I shouldn't</p> <p>19 assume.</p> <p>20 Did you have any sense of why</p> <p>21 these notes -- one was five years, one was six</p> <p>22 years -- why they were so long?</p> <p>23 A. Not having any real experience</p> <p>24 with how notes were written, I didn't think</p>
Page 331	Page 333
<p>1 just a line item for total payroll for wages</p> <p>2 only for Equity Pros.</p> <p>3 MR. GREEN: I object to the</p> <p>4 form.</p> <p>5 You can answer.</p> <p>6 A. We were building a pretty beefy</p> <p>7 website. We spent money on programmers for</p> <p>8 sure.</p> <p>9 BY MR. MAHONEY:</p> <p>10 Q. Do you have any understanding as</p> <p>11 to whether anyone explained to Mr. Pavlis that</p> <p>12 his investment that was made in 2014 was being</p> <p>13 used to develop this platform?</p> <p>14 A. It's my understanding that he</p> <p>15 knew all along, yes.</p> <p>16 Q. And your understanding is based</p> <p>17 upon what?</p> <p>18 A. Conversations with Justin.</p> <p>19 Q. So essentially Mr. Billingsley</p> <p>20 telling you that he told or kept Mr. Pavlis</p> <p>21 informed; is that a fair summary?</p> <p>22 MR. GREEN: Object to form.</p> <p>23 You can answer.</p> <p>24 A. Yes.</p>	<p>1 that was weird.</p> <p>2 MR. KITTILA: Bill, I'm sorry,</p> <p>3 that's the end.</p> <p>4 MR. MAHONEY: No problem at all.</p> <p>5 I totally appreciate it.</p> <p>6 And, Mr. Self, thank you very</p> <p>7 much for your time. I know it was a long</p> <p>8 day, but I appreciate you giving us the</p> <p>9 time.</p> <p>10 THE WITNESS: Thank you.</p> <p>11 - - -</p> <p>12 (Witness excused.)</p> <p>13 - - -</p> <p>14 (Whereupon, the deposition was</p> <p>15 concluded at 6:08 p.m.)</p> <p>16 - - -</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>

84 (Pages 330 - 333)

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GEORGE CHADWICK SELF

Page 334

C E R T I F I C A T E

I do hereby certify that I am a
Notary Public in good standing, that the
aforesaid testimony was taken before me,
pursuant to notice, at the time and place
indicated; that said deponent was by me duly
sworn to tell the truth, the whole truth, and
nothing but the truth; that the testimony of
said deponent was correctly recorded in machine
shorthand by me, to the best of my ability, and
thereafter transcribed under my supervision
with computer-aided transcription; that the
deposition is a true and correct record of the
testimony given by the witness; and that I am
neither of counsel nor kin to any party in said
action, nor interested in the outcome thereof.

WITNESS my hand and official
seal this 5th day of May, 2020.

Cheryl L. Goldfarb

Notary Public

85 (Page 334)